

**MEETING SUMMARY
WATER QUALITY ADVISORY GROUP
December 3, 2001**

Members Attending

Vince Berg, business community (10-11)
John Buric, agricultural community (7-11)
Chris Choppin, business community (3-5)
Todd Greenstone, agricultural community (4-5)
Doug Holy, environmental community, Vice-chair (10-11)
Robert Johnson, scientific/academic community (9-11)
John Kuriawa, environmental community (5-5)
Jeff Longsworth, public -at-large (8-11)
Lynn Mayo, scientific/academic community (10-11)
Chris Namovicz, public -at-large (11-11)
Ben Nicholson, scientific/academic community (5-5)
Shobhana Sharma, business community, **Chair** (9-11)
Diane S. Shea, public -at-large (9-11)

Public Agency Reps

Dr. Mohammad Habibian, public agency, WSSC (10-11)
Cameron Wiegand, public agency, DEP (10-11)
Jeff Zyontz, public agency, M-NCPPC (6-11)

Members Absent

William Anderson, agricultural community (10-11)

Others Attending

Rick Brush, DPS
Diane M. Davis, DEP
Fred Kallmeyer, Virginia farmer
Greg Kenel, Creative Landscapes
Steve Kenel, Creative Landscapes
Marshall Rea, Montgomery County Soil Conservation Service
Doug Redmond, M-NCPPC

Welcome & Discussion/Approval of Agenda & Previous Month's Summary

The Chair opened the meeting on time by asking for changes/corrections to either previous month's summary or current agenda. No changes were identified, Chris Namovicz moved to approve and Doug Holy seconded the motion. Mr. Longsworth asked that his attendance be corrected on October's summary, Ms. Davis acknowledged.

Agriculture Topic

Todd Greenstone opened the topic by introducing guests who had accompanied him (as listed above) as well as Marshall Rea, Montgomery Soil Conservation Service and former WQAG member. He then gave a very brief overview of the roadside spraying of herbicides that he had discussed in October. He introduced Greg and Steve Kenel, of Creative Landscapes, and are members of a farmscapers organization with Mr. Greenstone.

Greg Kenel described that he and his brother operate an 11 acre landscape nursery in a Special Protection Area (SPA). The operations have grown over time and led them to repeatedly apply to M-NCPPC for special

exemptions to their original permit. He reported that several changes and modifications were made to the physical structure of their operation resulting in expanded areas of imperviousness. He felt that M-NCPPC had given them the impression that the many changes and alterations they made would lead to continued permission to operate. They had met with Department of Permitting Services, installed a stormwater pond, and many other recommended changes. They realized that transportation and parking areas were the greatest contributing factors to the imperviousness - due to increased staff size, along with truck traffic transporting their materials.

Four years and approximately \$75,000 later, they were informed that their permit was revoked. Both brothers/proprietors expressed great frustration with a four year process of trying to comply and taking the recommended corrective actions. They told the WQAG of two other farmers going through a similar experience. They felt as though their experience was indicative of a county discouraging ag-related enterprises/businesses from staying and/or flourishing within it. As of this meeting, they could not foresee remaining on their current land, were planning to sell it and relocate outside of Montgomery County. They cited regulations that seem more stringently applied to farmers/ag operations than to residents: e.g., amounts and applications of pesticides and fertilizers (residents seem to have great freedom here, whereas farmers have prescribed structures). Group members asked questions to clarify specifics, and agreed that action could not be taken immediately. Ms. Shea, Chris Namovicz, and Mr. Vince expressed that a better approach might be to gather more background information, and form a sub-group to formulate a more clear assessment of what, if any, actions (e.g., resolution or letter of support, etc.) might be appropriate for the Group to take. The Kenels and Mr. Greenstone said they would be available to answer questions and to provide needed information. The Chair asked the Group to form a subcommittee to evaluate the scope of the problem, more clearly identify specific County issues and problems, and determine a role for the WQAG (if applicable). Members volunteered were: Todd Greenstone, Ben Nicholson, Vince Berg, and Mr. Anderson (in absentia). No specific timeframe was established, and the subgroup would report back when ready.

Marshall Rea distributed a hand-out entitled *Agricultural Conservation Progress in Montgomery County* and went over several highlights from fiscal years 1998 – 2001 for each category.

- Conservation Plans
- CREP (conservation reserve enhancement program)
- Nutrient Management Plans

Members discussed several items, including: dates and compliance levels for nutrient management plans; that plans may be prepared either by a private consultant or the extension service; that farmers do annual soil tests and use their own calculations. Mr. Rea said farmers generally dislike paperwork and related kinds of reporting for activities which they perform anyway, although additional outreach and education (classes are offered) may help to make farmers more open to the new requirements.

Security Measures for Public Water Supply (as requested by the County Executive)

Dr. Habibian briefly presented the WSSC security measures. He stated that while the safety and reliability of water supply are now on everybody's mind, the issue is not new to WSSC. WSSC has had that challenge since 80 years ago and has managed to meet it successfully years after years. WSSC is doing its best to keep its record and to continue providing safe water. The following are examples of actions being pursued: Round-the Clock highest alert at all of our facilities; 24-hour monitoring of our water distribution system; more than 600,000 water quality tests each year; and necessary coordination with local and federal authorities. WSSC is also using its in-house and external experts to review and strengthen its security measures, and is participating in a vulnerability workshop led by the Sandia Lab. Thus far there has been no threat to WSSC water services. Members of the WQAC had questions regarding the possibility of intentional dumping of chemicals, biological, and radioactive materials in the river. Dr. Habibian responded that while nothing can be ruled out, the dilution and the treatment efficacy plus extensive testing provides some safeguards. Additional measure may be taken after the security review and vulnerability assessment are completed. Finally, Dr. Habibian

stated that a lot is being pursued behind the scene, but intentionally not advertised. He asked that the WQAG members not to be alarmed if they don't hear about these efforts.

Groundwater Update

Ms. Sharma has been the WQAG representative on the Groundwater Strategy workgroup and reported that it had recently been presented to the Executive and Council (every Group member was given a copy of the final document). She praised the workgroup for achieving its goal and for producing a final document in a short order. The Strategy requires DEP to initially establish a database, and sets milestones in subsequent years for how the County will protect its groundwater resources.

Outreach

Mr. Holy report that there were few new developments and referred to Lt. Nicholson or Mr. Kuriawa. Ben Nicholson mentioned the importance of providing more environmental information (especially related to Special Protection Areas) to realtors and homeowner associations for inclusion in their literature to the public. He cited that Prince George's County includes environmental materials with settlement packages, and that perhaps Montgomery County might consider finding similar ways to reach the real estate community. Rick Brush, DPS, added that there are avenues, such as the Department of Housing and Community Affairs (Commission on Common Ownership), through which DEP might outreach with relevant materials. The Chair recommended adding this topic to the January 2002 agenda for further exploration and discussion. She hoped the Group would develop a hand-out or draft for realtors and/or HOAs. The next meeting would explore if the WQA might further develop and distribute such a flyer.

Ms. Davis reported on her email communications with Mr. Szesze, of the school system, regarding a grant for possible outreach: that Mr. Szesze knew of no more activities planned with Poolesville High School and nothing more about the grant itself; Mr. Szesze's brief email referred Ms. Davis to the teachers at PHS for follow-up.

Electronic Bulletin Board Update – Ms. Davis reported that her contact at the County's Department of Information Systems and Technology (DIST) was currently prioritizing websites and support to the Police and Fire Departments. Her DIST contact explained that the WQAG listserve would get his attention after completion of current project.

Stormwater Subcommittee Update

Lynn Mayo thanked Vince Berg for leading much of the subgroup's effort, and that the subcommittee had met a few times to review the draft and arrive at the resolution (which had been distributed before the meeting). The Group went over each item and made several corrections, wording modifications and then voted to pass the Resolution as modified. Doug Holy moved to move forward with the Resolution, and Diane Shea seconded, with a unanimous vote following. Ms. Davis agreed to incorporate all changes and send it to the Chair for distribution to the Executive and the Council.

New & Continued Business

- Water Quality Issues Related To County Master Plans was moved forward to another month. Ben Nicholson and other members felt that the night's first topic (whether the County and SPA tend to have negative impacts on farmers) lent itself appropriately to what he had introduced in a previous month. The Group's consensus was to explore the Kenel's situation as illustrative of what Lt. Nicholson had introduced in October [about whether or not development might be viewed as one indicator of the County's disposition towards protecting water quality?].
- Report on Annual Meeting with the Executive and the Annual Reception – Cameron Wiegand briefly mentioned that he and Mr. Johnson had attended the Annual Reception, at the Soccerplex in

Germantown, which featured an entertaining remote airplane display. Mr. Johnson said it is a nice way that the Executive shows appreciation to Board, Committee and Commission volunteers who give their time all year long. The Chair summarized the Annual Meeting with Mr. Duncan as friendly and open. He seemed familiar with all the water-related topics presented to him, and asked about several items beyond what the Group had presented to him, including: groundwater status; security issues at WSSC facilities; status of stormwater finance bill; Potomac Rive Minimum flow-by update.

- Cameron Wiegand, DEP, told the Group he would distribute copies of a recently signed Anacostia River agreement between USEPA, Maryland, the Center for Watershed Protection, the District of Columbia, and others addressing stormwater management controls on state properties.

Membership & Logistics Update

Ms. Davis reported that the interview committee (Mr. Holy, Vice-chair, Mr. Johnson, and herself) had interviewed six applicants and forwarded their recommendation on the Executive. If endorsed by Mr. Duncan, the name would then be forwarded to the full Council which would undertake review on December 11, 2001. Ms. Davis thanked the interview committee members for the time it took, and told the full Group she hoped the new member to represent the environmental community would be in attendance in January 2002.

Ms. Davis reminded members that this would be the last meeting in the Council Office Building and held up maps which she had mailed to all to remind them to report on January 14, 2002 to the new location in the Executive Office Building lobby level Auditorium at 101 Monroe Street.

January 2002 Topics

- Outreach – subgroup to explore literature to send to homeowner associations and/or realtor community.
- Water Quality Issues Related to County Master Planning – offshoot of December Ag topic surrounding how/if planning & zoning affect the County's disposition towards farmers and related businesses (i.e., nurseries) – Anderson, Berg, Greenstone, Nicholson
- Encroachment Resolution – follow-up status, M-NCPPC
- Agenda Planning – Group to prioritize Agenda Topics for 2002, by month (*see attached*)